

HOUSE No. 962

By Mr. Smizik of Brookline, petition of Frank I. Smizik and Steven M. Walsh relative to frivolous or bad faith claims and defenses in the district courts. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand and Five.

AN ACT RELATIVE TO FRIVOLOUS CLAIMS OR BAD FAITH CLAIMS AND DEFENSES IN THE DISTRICT COURTS.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 6E of the General Laws, as appearing in
2 the 1998 Official Edition, is hereby amended by striking out in the
3 second paragraph and inserting in place thereof the following
4 paragraph:—

5 “Court”, the supreme judicial court, the appeals court, the supe-
6 rior court, the land court, any probate court, any housing court,
7 and any district or municipal court, and any judge or justice
8 thereof;

1 SECTION 2. Section 6G of the General Laws, as so appearing,
2 is hereby amended by striking out the second sentence in the first
3 paragraph and inserting in place thereof the following sentence:—

4 If the matter arises in the superior, land, housing, probate, dis-
5 trict, or municipal court, the appeal shall be to the single justice of
6 the appeals court at the next sitting thereof.